

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

BANCORP SOUTH BANK,

Plaintiff,

v.

No. 04-2420 B

JUSTIN HERTER a/k/a BARRY J. HERTER  
and CAPITOL MANAGEMENT, INC.,

Defendants.

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ORDER ADMINISTRATIVELY CLOSING CASE

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Based on the representations of counsel as well as the filing of a petition in bankruptcy by Defendant Justin Herter, the Court finds it appropriate that this matter be administratively closed. The case may be reopened upon the giving of notice to the Court by counsel on behalf of any party.

IT IS SO ORDERED this 24th day of May, 2007.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE